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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/748,133	12/31/2003	Seiji Takahashi	247309US2	6850

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EXAMINER	
GODBOLD, DOUGLAS	
ART UNIT	**PAPER NUMBER**
2626	

NOTIFICATION DATE	DELIVERY MODE
09/01/2009	ELECTRONIC

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

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Office Action Summary	Application No.	Applicant(s)	
	10/748,133	TAKAHASHI, SEIJI	
	Examiner	Art Unit	
	DOUGLAS C. GODBOLD	2626	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE *3* MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *18 June 2009*.

2a)☒ This action is **FINAL**. 2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-14* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-14* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☐ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ .
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____.

DETAILED ACTION

1. This Office Action is in response to correspondence filed June 18, 2009 in reference to application 10/748,133. Claims 1-14 are pending and have been examined.

Response to Amendment

2. The amendment filed June 18, 2009 has been accepted and considered in this office action. Claims 1-4, and 7-12 have been amended.

Response to Arguments

3. Applicant's arguments filed June 18, 2009 have been fully considered but they are not persuasive.

4. Regarding applicant's arguments, see Remarks pages 8-9, that Heiny does not teach or suggest the limitations of “setting a language used for displaying said operation information on said operation panel of the information service apparatus, as the language used for providing said information,” the examiner respectfully disagrees. As agreed, Heiny teaches using a "fallback mode" when a selected language is not available for display. The language used in fallback mode is the “default language.” There is no discussion in Heiny about how one might choose a default language, leading one of ordinary skill in the art to believe that the default language would therefore be the language used by the system in normal operations. One of ordinary

skill in the art would recognize the word "default" to mean pre-selected, and in language selection for a computer system, this would obviously mean the pre-selected language of the terminal. In most instances, computers are used in the default language set up by the manufacture prior to shipment, and therefore this default language could fairly be interpreted into the meaning of default language of Heiny.

Claim Rejections - 35 USC § 102

5. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

6. Claims 1, 3, 4, 6-9, 11, 12, and 14 are rejected under 35 U.S.C. 102(b) as being anticipated by Heiny (US Patent 5,778,356).

7. Consider claim 1, Heiny teaches an information service apparatus for providing information to a terminal connected through a network in accordance with a request sent from the terminal (figure 4), the information service apparatus comprising:

an operation panel configured to display operation information on said information service apparatus (figure 4, monitor 116; column 7 line 53);

language correspondence judgment means for judging whether or not the information can be provided in a language designated by discrimination information

contained in the request from said terminal (figure 17, user selecting client language, step 403, determination if client language is found; column 15 lines 5-7 and 20-26); and

language determination means for determining the language to be used in providing said information (figure 17, display language selected; column 15 lines 5-36),

wherein, when said language correspondence judgment means determines that said information in the language designated by said discrimination information cannot be provided, said language determination means sets a language used for displaying said operation information on said operation panel as the language used for providing said information (default language is selected if client language is not available, column 15 lines 26-36.).

8. Consider claim 3, Heiny teaches the information service apparatus as claimed in claim 1, wherein a plurality of languages are supported as the language used for displaying said operation information on said operation panel so as to use one language previously selected from among the plurality of languages when displaying the operation information on said operation panel (figure 8A and 8B show a plurality of supported languages that are user selectable; column 13 lines 51-collumn 14 line 2, also column 8 lines 42- column 9 line 45).

9. Consider claim 4, Heiny teaches the information service apparatus as claimed in claim 3, wherein, when the language designated by the discrimination information contained in the request from said terminal corresponds to none of said plurality of

supported languages, said language correspondence judgment means judges that said information cannot be provided in the language designated by said discrimination information (if no result can be displayed in client or default language, null value is returned; column 15 lines 26-29).

10. Consider claim 6, Heiny teaches the information service apparatus as claimed in claim 1, wherein said information service apparatus is an image processing apparatus (figure 27 for instance shows an image of the system displayed on a screen.).

11. Consider claim 7, Heiny teaches an information display apparatus (figure 4) comprising:

information service request means for sending a send request to an information service apparatus that provides information through a network (knowledge base system on a network, see column 8 lines 6-52), the send request for requesting said information and designating a language used in displaying said information (figure 17, user selected client language, column 15 line 6); and

information display means for displaying said information received from said information service apparatus (figure 4, monitor 116; column 7 line 53),

wherein, when said information service apparatus is incapable of providing said information in the language designated by said information service request means, said information display means displays said information received from said information service apparatus in a language that is set by the information service apparatus based

on a language used for displaying information on an operation panel of said information service apparatus (default language is selected if client language is not available, column 15 lines 26-36.).

12. Consider claim 8, Heiny teaches an information service system (figure 4) comprising:

a terminal connected to a network (top portion of figure 4); and

an information service apparatus configured to send information to said terminal through said network in accordance with a request sent from said terminal (bottom portion 132; knowledge base server),

wherein said information service apparatus comprises:

an operation panel configured to display operation information corresponding to said information service apparatus (figure 4, monitor 116; column 7 line 53);

language correspondence judgment means for judging whether or not the information can be provided in a language designated by discrimination information contained in the request from said terminal (figure 17, user selecting client language, step 403, determination if client language is found; column 15 lines 5-7 and 20-26); and

language determination means for determining the language to be used in providing said information, wherein, when said language correspondence judgment means determines that said information in the language designated by said discrimination information cannot be provided, said language determination means sets a language used for displaying said operation information on said operation panel as

the language used for providing said information (figure 17, default language is selected if client language is not available, column 15 lines 26-36); and

said terminal displays said information in the language determined by said language determination means (figure 17 steps 404 and 407, displaying information in language selected).

13. Consider claim 9, Heiny teaches an information service method for providing information from an information service apparatus to a terminal connected to said information service apparatus through a network in accordance with a request sent from said terminal (figure 17), comprising:

a language correspondence judgment procedure performed by the information service apparatus of judging whether or not the information can be provided in a language designated by discrimination information contained in the request from said terminal (figure 17, user selecting client language, step 403, determination if client language is found; column 15 lines 5-7 and 20-26); and

a language determination procedure performed by the information service apparatus of determining the language to be used in providing said information (figure 17, display language selected; column 15 lines 5-36),

wherein, when said language correspondence judgment procedure determines that said language used for displaying said operation information on said information in the language designated by said discrimination information cannot be provided, said language determination procedure sets an operation panel language used for displaying

said operation information on said operation panel as the language used for providing said information (figure 17, default language is selected if client language is not available, column 15 lines 26-36).

14. Claim 11 is a method requiring similar limitations to the apparatus of claim 3, and is therefor rejected for similar reasons.

15. Claim 12 is a method requiring similar limitations to the apparatus of claim 4, and is therefor rejected for similar reasons.

16. Claim 14 is a method requiring similar limitations to the apparatus of claim 6, and is therefor rejected for similar reasons.

Claim Rejections - 35 USC § 103

17. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

18. The factual inquiries set forth in *Graham* **v.** *John Deere Co.*, 383 U.S. 1, 148 USPQ 459 (1966), that are applied for establishing a background for determining obviousness under 35 U.S.C. 103(a) are summarized as follows:

1. Determining the scope and contents of the prior art.

2. Ascertaining the differences between the prior art and the claims at issue.
3. Resolving the level of ordinary skill in the pertinent art.
4. Considering objective evidence present in the application indicating obviousness or nonobviousness.

19. Claims 2 and 10 are rejected under 35 U.S.C. 103(a) as being unpatentable over Heiny in view of Seiler, US Patent 7,412,374).

20. Consider claim 2, Heiny teaches the information service apparatus as claimed in claim 1, but does not specifically teach further comprising discrimination information existence judgment means for judging whether said discrimination information is contained in the request from said terminal, wherein said language determination means sets said operation panel language as said language used for providing said information when said discrimination information existence judgment means judges that said discrimination information is not contained in the request from said terminal.

In the same field of language determination, Seiler teaches discrimination information existence judgment means for judging whether said discrimination information is contained in the request from said terminal, wherein said language determination means sets said operation panel language as said language used for providing said information when said discrimination information existence judgment means judges that said discrimination information is not contained in the request from said terminal (Figures 6A and 6B show a flowchart for selecting a language, described column 6 lines 35-62. Within this flowchart, determination is made whether each language selection option is present, for instance step 625 described line 33, and if not finds the language information from the next source, step 630 described line 35.).

Therefore it would have been obvious to one of ordinary skill in the art at the time of the invention to deal with missing language information by going onto the next source as taught by Seiler when selecting language information is Heiny in order to properly handle a situation where a user failed to select a client language for a query.

21. Claim 10 is a method requiring similar limitations to the apparatus of claim 2, and is therefor rejected for similar reasons.

22. Claims 5 and 13 are rejected under 35 U.S.C. 103(a) as being unpatentable over Heiny in view of Krishnamurthy et al. (Key differences between HTTP/1.0 and HTTP/1.1).

23. Consider claim 5, Heiny teaches the information service apparatus as claimed in claim 1, but does not specifically teach wherein the request from said terminal is a HTTP request, and said discrimination information is a value of an Accept-Language field included in said HTTP request.

In the same field of information retrieval, Krishnamurthy teaches using an HTTP request (abstract and introduction), and with discrimination information being a value of an Accept-Language field included in said HTTP request (section 10, content negotiation discusses using “Accept-language” fields to inform servers what languages are acceptable to a user, paragraphs 1 and 5).

Therefore it would have been obvious to one of ordinary skill in the art to use HTTP and "accept—language" as taught by Krishnamurthy in the system of Heiny in order to implement the system of Heiny in a well know and universally accepted protocol language.

24. Claim 13 is a method requiring similar limitations to the apparatus of claim 5, and is therefor rejected for similar reasons.

Conclusion

25. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to DOUGLAS C. GODBOLD whose telephone number is

(571)270-1451. The examiner can normally be reached on Monday-Thursday 7:00am-4:30pm Friday 7:00am-3:30pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Richemond Dorvil can be reached on (571) 272-7602. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

DCG

/Richemond Dorvil/
Supervisory Patent Examiner, Art Unit 2626